

# CANDIDATES' GUIDE



San Francisco  
General Election

November 7, 1978

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OFFICES UP FOR ELECTION OR NOMINATION AT THE NOVEMBER 7, 1978  
GENERAL ELECTION

PARTISAN OFFICES

	<u>Term Years</u>	<u>Filing Fee</u>	<u>Signatures in Lieu of Filing Fee</u>	<u>Sponsors' Signatures</u>	<u>Qualifications</u>
<u>Federal Offices</u>					
<u>Representative in Congress</u>	2	NOMINATIONS CLOSED EXCEPT FOR WRITE-IN CANDIDATES AND INDEPENDENT CANDIDATES FOR "PARTISAN OFFICES"		40-60	U.S. Citizen for 7 years, 25 years of age, inhabitant of this state when elected. (Art.1, §2, Clause 2, U.S. Const.)
<u>State Offices</u>					
<u>Governor</u>	4			65-100	Must be an elector who has been a citizen of the U.S. and a resident of his or her state 5 years immediately preceding his or her election, not holding other public office. (Art. v, §2, CA Const.)
<u>Lieutenant Governor</u>	4			65-100	Same as for Go- vernor. (Art. V, §9, CA Const.)
<u>Controller</u>	4			65-100	Qualified elector in CA.
<u>Treasurer</u>	4			65-100	Qualified elector in CA.
<u>Attorney General</u>	4			65-100	Admitted to prac- tice before Supreme Court of the State for a period of at least 5 years imme- diately preceding his or her election or appointment. (Govt. Code §12503)

# PARTISAN OFFICES

	<u>Term Years</u>	<u>Filing Fee</u>	<u>Signatures in Lieu of Filing Fee</u>	<u>Sponsors' Signatures</u>	<u>Qualifications</u>
Secretary of State	4			65-100	Qualified elector in CA.
<u>Member</u> State Board of Equalization	4			40-60	Inhabitant of the District for which he or she is chosen for one year pre- ceding his or her election or appointment; inhabitant of the district for which he or she is chosen during his incumbency. (\$15601 Govt. Code.)
<u>State Legislature</u> State Senator	4			40-60	U.S. Citizen, elector and resi- dent of district for one year and resident of Calif. for three years immediately prece- ding his or her election. (Art. IV, §2c State Const.)
State Assemblyman	2			40-60	U.S. Citizen, elector and resi- dent of district for one year and resident of Calif. for three years immediately prece- ding his or her election. (Art. IV. §2c State Const.)

# NON PARTISAN OFFICES

	<u>Term Years</u>	<u>Filing Fee</u>	<u>Signatures in Lieu of Filing Fee</u>	<u>Sponsors' Signatures</u>	<u>Qualifications</u>
<u>Judicial</u> <u>Superior Court</u>	6			100	Member of the State Bar or served as a judge of a court of record in this state for 10 years immediately preceding election; must reside within the county of the court for which he or she is elected. (Art. 6, Sec. 15 Cal. Const. Govt. Code Sec. 69502)
<u>Municipal Court</u>	6				
<u>County</u> <u>Assessor</u>	4	\$945.80	3,784	20-30	Resident of the City and County of San Francisco.
Member, Charter Revision Committee	Open	-0-	-0-	20-30	Resident of the City and County of San Francisco
Member, BARTD	4	-0-	-0-	10-20	Resident of District
Public Defender	4	\$929.90	3720	20-30	Resident of the City and County of San Francisco. and admitted to practice in all courts of the State and qualified for at least five years next preceeding his or her election. (Charter 53.402)

NON PARTISAN OFFICES-continued

	<u>Term Years</u>	<u>Filing Fee</u>	<u>Signatures in Lieu of Filing Fee</u>	<u>Sponsors' Signatures</u>	<u>Qualifications</u>
<u>County - continued</u>					
Member, Board of Education (3 members)	4	\$24.00	96	20-30	Resident of the City and County of San Francisco (Charter Sec. 5.100 and 9.100)
Member, Community College Board (3 members)	4	\$24.00	96	20-30	Resident of the City and County of San Francisco (Charter Sec. 5.104)



**Signatures in Lieu of Filing Fee** A candidate may submit a petition containing signatures of registered voters to cover all or any pro rata portion of the filing fee. Forms to collect signatures are available from the Registrar of Voters. (See Pages 2 through 5 for total signatures of filing fee required.)

The candidate or any registered voter, or voters, may serve as a circulator to collect signatures. Registered voters eligible to vote for the candidate may sign the petitions. For partisan offices, the signer must be affiliated with the same political party as the candidate. If a voter signs more candidates' petitions than there are offices to be filled, the voter's signatures are valid only on those petitions which, taken in the order they were filed, do not exceed the number of offices to be filled. A voter may sign both a candidate's nomination papers and his in lieu of filing fee petition.

Upon receipt of the minimum number of in lieu of filing fee signatures required, or a sufficient combination of such signatures and pro rata filing fee, nomination papers are issued provisionally. If, following verification, the number of valid signatures falls below the number required, the candidates will be notified and shall submit additional signatures, or pay the pro rata portion of the filing fee, at any time prior to the close of the nomination period, August 24, 1978. Elec. Code Sec. 6555

#### FILING FOR OFFICE

**Declaration of Intent to Become a Candidate**

The provisions of the San Francisco Municipal Campaign Contribution Control Ord. apply to campaigns on behalf of or in opposition to local ballot measures (any matter submitted to a popular vote at an election) and to individuals seeking election to any city and county office (Admin. Code Sec 16.503)

Elected officers of the City and County of San Francisco are: Mayor, members of the Board of Supervisors, City Attorney, District Attorney, Treasurer, Assessor, Sheriff and members of Charter Revision Commission. No intended candidate for any office may solicit or accept campaign contributions unless he or she has filed a declaration of intention to become a candidate for a specific city and county office with the Registrar of Voters (Admin. Code Sec. 16.510).

**NOMINATION FILING  
PERIOD**

Independent candidates for partisan offices  
(Governor, e.g.) may file their nomination documents between June 26 and August 25, 1978. Signers must be registered voters in San Francisco (Elections C. §§6800-7204).

Candidates for the BART Board of Directors  
(Districts 7 and 8) may circulate and file nomination documents between August 4 and August 25, 1978. Signers must be registered voters in the district in which the candidate is running. (Elections Code §§23512 and 10012).

Candidates for City and County of San Francisco, San Francisco Unified School District and San Francisco Community College District Offices may circulate and file nomination documents from August 24 through September 8, 1978. (City Charter §9.104).

Write-in Candidates for judicial offices  
must file nomination documents by September 8, 1978 (Elections C. §25304).

Write-in Candidates for state office  
must file nomination documents by October 24, 1978 (Elections C. §57).

Write-in candidates for local office  
must file nomination documents by October 30, 1978 (Elections C. §57).

Filing fees for non-partisan offices may be made in cash or by personal check made payable to Registrar of Voters. Filing fees for partisan offices and State Superintendent of Public Instruction must be made by cashier, certified or traveler checks or money order made payable to March Fong Eu, Secretary of State. Filing fees are not refundable.  
(Elec. Code §§6550-6554, 6650)

**DECLARATION OF  
CANDIDACY**

- The set of filing forms consists of:
- 1) Declaration of Candidacy including Candidate's Request for Statement of Occupation to Appear on Ballot and Candidate's Oath.

**Ballot Name**

A candidate may use a nickname, in addition to his or her legal name, provided his or her candidacy has been declared under that name on the Declaration of Candidacy.  
(A.G. Ops. 50-87, 5/27/50)

If a candidate changes his or her name within one year of any election, the new name does not appear on the ballot unless the change was made by:

- a) Marriage
- b) Decree of court of competent jurisdiction  
(Elec. Code Sec. 10209)

No title or degree appears on the same line on a ballot as a candidate's name, either before or after the candidate's name, in the case of any election to any office.  
(Elec. Code Sec. 10210.5)

**Occupational  
Designation**

A candidate may, at his or her option, have one of the following designations appear under his or her name on the ballot:

- 1) Words designating the elective city, county, district, state or federal office which the candidate holds at the time of filing his nomination papers to which he or she was elected by vote of the people, or to which he or she was appointed, in the case of a superior, municipal or justice court judge.
- 2) The word "incumbent" if the candidate is a candidate for the same office which he or she holds at the time of the filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a superior, municipal or justice court judge, was appointed to that office.
- 3) No more than three words designating the principal professions, vocations or occupations of the candidate. For purposes of this section, all California geographical names are considered to be one word. No more than nine words may be used by candidates for municipal office and boards of education.
- 4) The phrase "appointed incumbent" if the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed". This does not apply to candidates for municipal office and boards of education.

Neither the Secretary of State nor any other election official can accept a designation which:

- 1) Misleads the voter.
- 2) Suggests an evaluation of a candidate, such as outstanding, leading, expert, virtuous or eminent.
- 3) Abbreviates the word "retired" or places it following any word or words which it modifies.

- 4) Uses a word or prefix, such as "former" or "ex-", which means a prior status. The only exception is the use of the word "retired".
- 5) Uses the name of any political party, whether or not it has qualified for the ballot.
- 6) Uses a word or words referring to a racial, religious, or ethnic group.
- 7) Refers to any activity, which activity is prohibited by law.

If, upon checking the nomination papers, the election official finds the designation to be in violation of any of the restrictions set forth in this subdivision, the election official notifies the candidate by registered mail, return receipt requested. The candidate, within three days from the date of receipt of the notice, must appear before the election officer or, in the case of the Secretary of State, must notify the Secretary of State by telephone, and provide an alternate designation. In the event the candidate fails to provide an alternate designation, no designation appears after the candidate's name.

A designation provided for the purpose of the primary election remains the same for the general election unless the candidate requests in writing, no later than August 29, 1978, a different designation which the candidate is entitled to use at the time of the request.

The designation selected by the candidate is not to be changed after the close of filing except as indicated above.

(Elect. Code Sec. 10211)

#### SPONSOR'S SIGNATURES

- 2) Sponsor's Certificate including Verification Deputies Certificate.

The minimum and maximum number of required sponsors signatures for each office are given on pages 1 through 4. Sponsors signing these certificates must be registered voters eligible to vote for the candidate.

If signatures collected exceed the maximum, the elections officer withdraws the excess with the written consent of the candidate.

Each signer of a sponsor's certificate can sign only as many certificates as there are positions to be filled for such office. A candidate is permitted to sign as a sponsor for his own nomination.

A person signing a sponsor's certificate should sign his first name, middle initial and last name. Married women must sign their own given name and not that of their husband's.

Each signer, at the time of signing the sponsor's certificate, must include his or her printed name and his or her place of residence, giving street and number. The signature is valid only when this information is completed by the signer. Signers should be cautioned to give their residence address and not their business or mailing address on the sponsor's certificate.

A voter may sign both a candidate's nomination paper and his in lieu of filing fee petition.  
(Elec. Code Secs. 41, 6493-6495, 6500-6502, 6555)

#### VERIFICATION DEPUTIES

#### 3) Appointment of Verification Deputies Form

A candidate may appoint verification deputies to collect sponsor's signatures on his or her behalf rather than circulating the certificate himself or herself.

All verification deputies must be appointed in writing on the appropriate form and must be registered voters in the district or political subdivision in which the candidate is to be voted on and serve only in that district or political subdivision.

More than one verification deputy may be appointed by any one candidate, however, they should not collect an aggregate number of sponsor's signatures in excess of the specified maximum, nor may more than one verification deputy circulate a single sponsor's certificate. If the candidate wishes to appoint more than one verification deputy, he or she must request extra sponsor's certificates at the time nomination papers are obtained.

A verification deputy is permitted to sign as a sponsor on a sponsor's Certificate he circulates.  
(Elec. Code Sec. 6497. 6499)

#### CANDIDATE'S STATEMENT OF QUALIFICATIONS

#### 4) Statement of Qualification Form

A candidate for non-partisan office may, at the time of filing his or her nomination papers, file a typed statement of his education and qualifications on the

appropriate form provided by the Registrar of Voters. Information attached to the form will explain legal restrictions pertaining to the contents of a statement. Each candidate submitting a statement of qualifications receives a proof prior to printing. Printing errors will be corrected but changes are not allowed. Statements may be withdrawn until 5:00 P.M., September 11, 1978. In the case of extended filing periods, the withdrawal date for statements of qualifications is 5:00 P.M., the next working day after close of filing.

Candidates for the BART Board of Directors may submit a statement of 200 words or less for inclusion in the voters' pamphlet. This statement must be filed at the time of filing nomination documents, and must be paid for by the candidate. (Elections C. §10012).

At the time of filing nomination documents, candidates for City and County of San Francisco, San Francisco Unified School District, and San Francisco Community College District offices must file a statement of 100 words or less. This statement will be printed in the voters' handbook together with the candidate's sponsors, free of charge (City Charter §9.104).

Candidate's statements of qualifications is mailed to voters in the voter pamphlet portion of the sample ballot booklet. (Elections C. §10012).

#### FILING NOMINATION PAPERS

It is suggested that prospective candidates obtain forms for candidacy from the Registrar of Voters as soon as possible on or after the first day to circulate and file nomination papers, February 13, that the maximum number of sponsor's signatures be obtained and that papers be filed as soon as completed so that any irregularities can be corrected before the closing filing date. The Registrar of Voters does not accept for filing any nomination papers or sponsor's certificates unless all blanks are completed. No additions or corrections can be made after 5:00 P.M., September 8, 1978.

Nomination papers must be left with the Registrar of Voters for examination and filing or for examination, certification and forwarding to the Secretary of State (federal, state, legislative and superior court judicial candidates).

The Registrar of Voters closes promptly at 5:00 P.M. on September 8, 1978, after which no nomination papers are accepted unless extended filing periods apply.  
(Elections Code §§6490, 6497, 6650)

**CONDITIONS RELATING  
TO CANDIDATES APPEAR-  
ING ON THE BALLOT**  
State, Legislative  
and City and  
County Offices

**Judicial**

If only the Incumbent has filed nomination papers for the office of Superior or Municipal Court Judge:

- a) his or her name does not appear on the primary election ballot unless there is filed with the Registrar of Voters, no later than March 30, a petition indicating that a write-in campaign will be conducted for the office and signed by 100 registered voters eligible to vote for the office.
- b) his or her name does not appear on the general election ballot unless there is filed with the Registrar of Voters, no later than September 8, a petition indicating that a write-in campaign will be conducted for the office and signed by 100 registered voters eligible to vote for the office.

(Elections Code §25304.)

**BALLOT ORDER OF NAMES**

The Secretary of State draws two sets of the letters of the alphabet. The two resulting randomized alphabets is the basis for determining the order of candidates in local and state elections respectively. Each candidate is placed on the ballot in the order that each of the letters of their surname was drawn; for example, the placement of candidates with the surname of Campbell and Carlson will depend on the order in which the letters M and R were drawn. (Elections Code §10217.)

In addition, the following rules, some of which include rotation of names, will apply:

- a) Candidates who are voted on throughout the state  
The order of candidates names is in accordance with the randomized drawing for the First Assembly District. Thereafter, for each succeeding Assembly District, the name appearing first in the last preceding Assembly district is placed last, the order of the other names remaining unchanged.  
(Elec. Code Sec. 10216 (c))



- b) Representative in Congress, State Board of Equalization Candidates  
The order of candidates names is in accordance with the randomized drawing for the Assembly district which has the lowest number of all Assembly districts in which candidates are to be voted on. Thereafter, for each succeeding Assembly district in which the candidates are to be voted on, the name appearing first in the last preceding Assembly district is placed last, the order of the other names remaining unchanged.  
Elec. Code Sec. 10216 (d)
- c) State Senator or Member of Assembly Candidates  
The names of candidates is in accordance with the randomized drawing throughout the representative district, with no rotation.
- d) Candidates to be voted upon wholly within, but not throughout, a county (supervisor, special district or municipal candidates).  
The names of candidates is in accordance with the randomized drawing throughout the respective area in which the office is to be voted on, with no rotation.  
(Elections Code §10216 (f).)

#### DATES SUCCESSFUL

#### CANDIDATES TAKE OFFICE

Candidates who are successful in the November 7 general election, except for State Legislature offices, take office on January 8, 1979. This includes:  
State Officers Art. XX, Sec. 20 CA Const.

Superior Court Judges	Art. VI, Sec. 16 (c)
CA Const.	
Municipal Court Judges	Govt. Code Sec. 71145
County Officers	Charter Sec. 9.100-1

State Legislative members take office on December 4, 1978.  
Art. IV, Sec. 2(a), CA Const.

#### CANDIDATES CAMPAIGN REQUIREMENTS AND LIMITATIONS

Campaign Literature  
--Name and Address  
of Person or  
Committee Responsible

Every person, other than a public officer in the performance of an official duty, who causes to be prepared, reported by any means (including, but not limited to, printing, photocopying, mimeographing, or silk-screening), posted, or distributed any circular, pamphlet, letter, poster, bill or other reproduced matter having reference to any election, candidate, or measure must state on the circular, pamphlet, letter, poster, bill, or other reproduced matter the name and address of the business or



residence of a person responsible for it. If the responsible person is acting on behalf of a campaign committee which has filed a statement of organization with the Secretary of State under the provisions of the Political Reform Act of 1974, as amended, the name and address appearing on the reproduced matter may be the name and address of the campaign committee.

This required identification of the person or committee responsible must appear in no less than six-point type not subjected to the half-tone oricess [Elec. C. §29401(a)].

These requirements do not apply to mass mailings complying with Government Code §84305.

Any circular, pamphlet, letter, poster, bill or other reproduced matter having reference to an election, candidate or measure is exempted from the identification requirements described if it contains no more information than the following items which appear on the ballot:

- (1) The date of the election; the nature of the election (e.g., primary, general, special, runoff); the name of the jurisdiction (e.g., City and County of San Francisco, San Francisco Community College District).
- (2) In the case of a candidate: the name of the candidate; the title of the office, including any district number; in the case of a partisan office, the candidate's party designation.
- (3) In the case of a measure: the title of the measure and its number or letter designation.
- (4) The use of the words: "Yes on," "No on," "Vote for," "Elect," "Retain," "Return," "Recall," "Remove," and "Support."

[Elec. C. §29410(b)].

Any circular, pamphlet, letter, poster, bill, or other reproduced matter referring only to candidates for federal office and subject to the requirements of Section 441d of Title 2 of the United States Code is also exempt from the identification requirements described above. [Elec. Code §29410(c)].

## Mass Mailing

Whenever a person makes an expenditure for the purpose of sending a mass mailing, he or she must show on the outside of each piece of mail in the mass mailing and on at least one of the included inserts within each piece of mail the sender's name, street address and city. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.

This information must be in no less than 6 point type.

A copy of every mass mailing in support of or in opposition to a state candidate or state measure must be sent to the Fair Political Practices Commission on the same day it is mailed to the public generally. Copies sent to the Commission are public records.

Elections Code section 29410 (campaign literature) does not apply when the requirements described above are complied with.  
[Gov. C. §84305]

The term "mass mailing" includes 200 or more identical or nearly identical pieces of mail. However, it does not include a form letter or other mail which is sent in response to a request, letter or other inquiry. [Gov. C. §82041.5].

## Newspaper Advertisements

Any paid political advertisement which refers to an election or candidate for state or local office and which is contained in or distributed with a newspaper must say "Paid Political Advertisement" on each surface or page of the advertisement.

These words must be set apart from any other printed matter. Their type or lettering must be at least half as large as the type or lettering of the advertisement or in 10 point Roman type, whichever is larger.

The term "paid political advertisement" means published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective state or local office.  
[Elect. Code §11708]

## Defamatory Statements Concerning Opponents

Defamation refers to false and unprivileged statements which injure another person's reputation. Defamation includes both libel and slander [CC §44]. Libel is the more permanent form of defamation. It includes statements in writing and printing, effigies, and other fixed representations to the eye [CC §45]. On the other hand, slander is the less permanent form of defamation. It includes oral statements and communications by radio or other mechanical means [CC §46] such as television. Candidates are subject to the laws of defamation (libel and slander) as are all other citizens. As in defamation generally, candidates are not liable for true statements which injure the reputation of another person, even when such true statements concern a public official or another candidate in an election campaign and are made with malice.

Candidates also hold a qualified privilege which protects them in the event any of their statements concerning an opponent are found to be both false and defamatory. Candidates are liable for their defamatory false statements only when these statements are made with the knowledge that the facts stated are false or when the candidate acts without regard for whether the facts stated are true or false. Thus, candidates are protected from liability for all but malicious false statements concerning public officials and other candidates in an election campaign.

If a candidate is in doubt as to the defamatory nature of a particular statement, he or she should consult an attorney to determine his or her potential liability in making the statement.

## Simulated Ballot

Every simulated ballot or simulated sample ballot must bear on each surface or page in a printed or drawn box and set apart from any other printed matter, the following statement:

---

### NOTICE TO VOTERS (Required by Law)

This is not an official ballot or an official sample ballot prepared by the county clerk, registrar of voters, or the Secretary of State.

This is an unofficial, marked ballot prepared by

(insert name and address of the person or organization responsible for preparation  
therefore.)

---

This statement must be in lettering at least one half as large as the type or letting of the statement or in 10 point Roman type, whichever is larger. [Elec. C. §11709(1)].

A simulated ballot or simulated sample ballot may not bear any official seal or the insignia of any public entity. In addition, such a seal or insignia may not appear on the envelope in which the simulated ballot or simulated sample ballot is mailed or otherwise delivered. [Elec. C. §11709(b)].

Any person who prints or otherwise duplicates or causes to be printed or duplicated a simulated ballot or simulated sample ballot which does not contain the state-described above or which uses an official seal or insignia commits a misdemeanor [Elec. C. §29414].

#### Electioneering on Election Day

On election day, no person may do any of the following within 100 feet of a polling place:

- (a) Circulate an initiative, referendum, recall or nomination petition.
- (b) Solicit a vote or speak to a voter on the subject of marking his or her ballot.
- (c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications.
- (d) Do any electioneering.

A person who does any of these prohibited activities commits a misdemeanor.

The term "100 feet of a polling place" means a distance of 100 feet from the room or rooms in which voters are signing the roster and casting ballots. [Elec. Code §29470]

#### EQUAL TIME RULE

Generally, the use of broadcasting facilities, such as radio and television stations, is governed by the Federal Communications Commission [FCC]. The FCC has provided that when any of its licensees permits a legally qualified candidate for public office to use its broadcasting station, all other candidates for that office must also be afforded an equal opportunity to use the station [47 USCA §315(a)]. This provision is popularly known as the Equal Time Rule. However, a candidate may not always be entitled to equal time merely because his or her opponent has appeared on a particular

station. For instance, if an opponent makes an appearance not directly related to his or her candidacy, such as his or her participation in a news event, a candidate may not be entitled to invoke the Equal Time Rule to obtain an opportunity to use the station.

A political candidate is responsible for demanding equal time when appropriate and for complaining to the FCC if a request for equal is improperly denied. If a candidate is in doubt as to whether he or she is entitled to equal time on a particular broadcasting facility, he or she should consult an attorney.

#### CONFLICTS OF INTEREST

Under California laws, an official is considered to have a conflict of interest with respect to a decision if it is reasonably foreseeable that the decision will have a material financial effect (distinguished from its effect on the public generally) on:

- (a) A business entity in which the official has a direct or indirect investment worth more than \$1,000.
- (b) Any real property in which the official has a direct or indirect interest worth more than \$1,000.
- (c) Any source of income (other than loans by a commercial lending institution made in the regular course of business) totaling \$250 or more received by or promised to the official within 12 months prior to the time the decision is made.
- (d) Any business entity in which the official is a director, officer, partner, trustee, employee, or holds any position of management.

[Gov. C. §87103]

Public officials at all levels of state and local government are prohibited from making, participating in making, or in any way attempting to use their official position to influence a government decision in which they know or have reason to know they have a financial interest [Gov. C. §87100], unless their participation is legally required for the action or decision to be made. However, the fact that an official's vote is needed to break a tie does not make his or her

participation in a governmental decision legally required [Gov. C. §87101].

Under the San Francisco charter, an officer or employee of the city and county of San Francisco is prohibited from being or becoming, either directly or indirectly, interested in, or interested in the performance of, any of the following:

- (1) Any contract, work, or business when the expense, price, or consideration is payable from the San Francisco treasury.
- (2) The sale of any article when the expense, price, or consideration is payable from the San Francisco treasury.
- (3) The purchase or lease of any real estate or other property which belongs to, or has been taken by, San Francisco, which is to be sold for taxes and assessments, or which results from legal processes instituted by San Francisco.
- (4) Surety on any bond given to San Francisco.
- (5) Giving, promising, or accepting money or other valuable things in consideration of employment for San Francisco.

[S.F. Charter §8.105(i)].

In addition, a prohibited conflict of interest exists whenever an officer or employee of the city and county of San Francisco is required to pass judgment on a matter which, either directly or indirectly, affects a private party who is a child or spouse of the officer or employee [S.F. Charter §8.105(i)].

**Candidates' Statements  
of Financial Interest  
--Who Must File**

Candidates for the following offices must file with their declarations of candidacy statements disclosing their investments and their interests in real property, other than their principal residence:

Elected state officials,  
Judges of courts of record,  
Members of the board of supervisors, District  
Attorney and Mayor

[Gov. C. §§87200, 87201, 87206.5].

Successful candidates must file statements disclosing their investments and their interests in real property within 30 days after assuming office [Gov. C. §87202(a)] and annually thereafter [Gov. C. §87203].

Where candidates for office have filed statements as officials within 60 days of filing their declarations of candidacy for office in the same jurisdiction, no new statement is required [Gov. C. §87201].

--Contents of Statement      Statements disclosing investments and interests in real property must contain the following:

- (a) A statement of the nature of the investment or interest.
- (b) The name of the business entity in which each investment is held and a general description of the business activity in which the business entity is engaged.
- (c) The address or other precise location of the real property.
- (d) With respect to real property not used principally as the candidate's residence: whether the fair market value of the investment or interest in the real property exceeds \$10,000 and whether it exceeds \$100,000.
- (e) With respect to an investment constituting 50% or more of the ownership interest in a business entity: the investments and interests in real property of the business entity.

[Gov. C. §87206]

#### Specific Conflicts of Interest Codes

Every state agency or local government agency is required to adopt and promulgate its own conflict of interest code having the force of law [Gov. C. §87300]. Each conflict of interest code must provide for the specific enumeration of positions within the agency which involve the making or the participation in decisions which may foreseeably have a material effect on any financial interest and for the filing of annual statements disclosing reportable investments, interests in real property, and income. Furthermore, each conflict of interest code must set forth the specific types of investments, interests in real property, and income which are reportable for each position or category of positions in the agency and the manner of reporting each item. Finally, each conflict of interest code must provide for circumstances in which designated employees or categories of designated employees must disqualify themselves from making or participating in the making of any decisions [Gov. C. §87302].



In San Francisco, the charter describes conflicts of interest with respect to city officers and employees and also empowers the civil service, fire, and police commissions to prescribe and enforce their own conflicts of interest rules and regulations [see S.F. Charter §§8.105(a) and (g)].

Every candidate, therefore, should look both to the state requirements with respect to conflicts of interest and to local ordinances governing conflicts of interest within the county, municipality, or district.

#### CAMPAIGN AIDS FOR PURCHASE

How to Acquire  
Indexes and  
Computer Tapes

Candidates may purchase the following items from the Registrar of Voters.

COMPUTER TAPES of registered voters are available to candidates and committees (only). The cost is \$100 per tape; there are three tapes. A refund of \$50 per tape will be given if the tapes are returned within 10 calendar days. Specifications: 9 track, 1600 B.P.I.

#### VOTER REGISTRATION CARDS.

Most successful campaigns include a voter registration drive of some type. Quantities of registration forms are available in Room 158, City Hall. Cards which have been completed by voters must be returned to the Registrar within 3 days of completion. The last day on which cards may be received is October 9th.

#### CAMPAIGN DISCLOSURE STATEMENTS

Campaign disclosure statements of all candidates will be available for public inspection on, or shortly after, the due dates. Anyone may make Xerox copies at 10¢ per page.

The Secretary of State regulations prohibit the use of indexes or labels for non-political purposes. Elec. Code 607, Cal. Adm. Code 19001

#### Precinct Indexes

Each candidate is entitled to purchase precinct indexes at a cost of \$.50 per 1000 names payable at the time they are picked up. Precinct indexes are printed in alphabetical order by street. Individual precincts may be copied by qualified persons at 10¢ per page.

#### Precinct Maps

Precinct maps (4' x 4') are available from commercial sources at a cost of \$12.50.

#### District Maps

8" x 9": free; 17" x 22": 50¢.



## CAMPAIGN EXPENSE STATEMENTS

All candidates for public office and committees supporting or opposing candidates have campaign expense statement filing requirements. "Committee" definitions are explained further in this section. The following information is not applicable to candidates for federal office as disclosure of campaign funds is governed by federal regulations; such candidates will receive reporting schedules and forms from federal authorities.

## WHEN CAMPAIGN EXPENSE STATEMENTS ARE FILED

Statements for the general election are required to be filed on these dates:

- Sept. 30 First pre-election statement due for the period July 1 or since the closing date of the last statement filed through Sept. 23.
- Oct. 26 Second pre-election statement due for the period Sept. 24 through Oct. 23.
- Jan. 31, 1979 Post-election statement due for the period Oct. 24 through Dec. 31 or to the end of all transactions. Statement may be filed beginning Nov. 8 but not later than January 31.

The necessary reporting forms and an instruction manual are available from the Registrar of Voters.

## EXCEPTIONS TO STANDARD CAMPAIGN EXPENSE STATEMENT FILING DATES

### Incumbent Candidates for Judicial Office

An unopposed incumbent judicial candidate is exempt from the standard reporting dates when his name will not appear on the ballot for either the primary or general elections. The unopposed incumbent is then required to file only one campaign expense statement, no later than January 31, 1979, for the period since the last statement filed through December 31, 1978.  
(Govt. Code Sec. 84207)

## WHERE CAMPAIGN EXPENSE STATEMENTS ARE FILED

### (a) Reports and Statement of Candidates for Statewide Elective Office

One original and one copy with the Secretary of State\*, and two copies with the Registrar-Recorder of Los Angeles County and two copies with the Registrar of Voters of the City and County of San Francisco.  
[Govt. Code Sec. 81005 (a)]

\* Secretary of State  
Political Reform  
Division  
P. O. Box 1467  
Sacramento, CA 95807

(b) Reports and Statements of Candidates for Superior Court Judge, State Legislature and Board of Equalization

One original and one copy with the Secretary of State\*, and two copies with the Clerk of the largest county by population which in whole or in part is included in the election district in which the candidate seeks nomination or election and two copies with the clerk of the county in which the candidate resides.  
[Govt. Code Sec. 81005(b)]

(c) Reports and Statements of all candidates not mentioned above

One original and one copy with the Registrar of Voters.  
[Govt. Code Sec. 81005 (e)]

(d) Reports and Statements of the County (Central Committee (not central committee candidates))

One original and one copy with the Secretary of State\*, and two copies with the Registrar of Voters.  
[Govt. Code Sec. 81005 (f)]

"COMMITTEE" DEFINITION

"Committee" means any person or combination of persons who directly or indirectly receive contributions or make expenditures or contributions for the purpose of influencing or attempting to influence the action of the voters or against the nomination or election of one or more candidates, including any committee or subcommittee of a political party whether national, state or local if:

"Recipient Committee" - which receives contributions of \$500 or more in a calendar year [Govt. Code Sec. 82013(a)]; or

"Expenditure Committee" - which makes independent expenditures (as opposed to expenditures made at the behest or under the direction or control of candidates and committees) of five hundred dollars (\$500) or more in a calendar year [Govt. Code Sec. 82013(b)]; or

"Major Donor Committee" - which makes contributions to or expends funds at the behest of candidates or committees totaling five thousand dollars (\$5,000) or more in a calendar year [Govt. Code Sec. 82013(c).]

**COMMITTEE STATEMENT  
OF ORGANIZATION**

Committees which collect \$500 or more in a calendar year are required to file a Committee Statement of Organization within 10 days after the committee has collected \$500.

This form is available from the Registrar of Voters and must be filed with the  
Secretary of State  
Political Reform Division  
P. O. Box 1467  
Sacramento, CA 95807

The Secretary of State will in turn issue the Committee an identification number which must appear on all campaign statements filed.

The committee name which appears on this form is the only one which may be used. If there is any change in the information contained in the Statement of Organization, such as a change in officers, an amendment must be filed within 10 days of the change. An amendment may be by written means or by submission of a new form marked "amendment". (Govt. Code Sec. 84103)

**TERMINATION OF  
COMMITTEE**

A committee which has met all filing requirements and is no longer active may file a Termination of Committee Statement. This form is available from the Registrar of Voters and is filed with the Secretary of State at the same address as appears above under Committee Statement of Organization.

**PENALTIES FOR  
VIOLATIONS**

Persons who do not file their campaign statements on time are liable for a large filing penalty of \$10.00 a day, not to exceed \$100 or the cumulative amount stated in the late report, whichever is greater. Any person who knowingly or willfully violates any provision of the Political Reform Act of 1974 is guilty of a misdemeanor. The law requires that names of persons filing late be forwarded to the proper authorities for prosecution. (Govt. Code §9100 et. seq.)

**Municipal Election  
Campaign Contribution  
Control Ordinance**

Candidates for City and County offices (see page 5 above) are governed by both the State Fair Political Practices Act and the San Francisco Municipal Election Campaign Contribution Control Ordinance. (S.F. Admin. Code §16.501-16.519).

**Trust Account**

The Municipal Campaign Ordinance requires each campaign treasurer to establish a campaign trust account at a bank located in San Francisco (Sec. 16.505)

Contribution Limitation	No person may contribute more than \$500 to any candidate for municipal office or to any committee supporting or opposing a candidate or a ballot measure requiring a simple majority vote. Contributions for or against ballot measures requiring a two-thirds majority may total \$1,500. (Sec. 16.508).
Person	For purposes of the ordinance, a person is an individual, partnership, corporation, association, firm, committee, club, or other organization. (Sec. 16.503). A three member family may contribute \$500 each to a candidate for municipal office, not merely \$500 from the entire family.
Run-off Elections	Contributions to candidates in a run-off election for Mayor may not exceed \$250 per person.
Penalties	Violation of the ordinance is a misdemeanor punishable by a fine of not more than \$500 or imprisonment for not more than 6 months, or both. Willful failure to report contributions carries a penalty, in addition to any imprisonment, of a fine of not less than \$500. In addition, contributions collected in excess of any limit shall be paid over to the City and County of San Francisco.

#### IMPORTANT CALENDAR DATES FOR CANDIDATES

August 29 5:00 P.M.	Last day for general election run-off candidates to request a different ballot designation than that used in the primary election.
September 5 11:00 A.M.	Randomized alphabet drawing to determine the order of candidates' names on the general election ballot.
September 8 5:00 P.M.	Last day for general election run-off candidate to submit a different statement of qualifications than that used in the primary election.
September 8 5:00 P.M.	Last day to file a petition forcing a judicial race on the general election ballot if the incumbent is unopposed.
September 11	Randomized alphabet drawing for municipal and boards of education candidates.
September 30	Last day to file first pre-election campaign expense statement.
October 9	Last day to register to vote in the November 7 election.
October 9	First day to vote by absentee ballot.

- October 26      Last day to file second pre-election campaign expense statement.
- October 31      Last day to request an absentee ballot, in writing, from the Registrar of Voters.
- November 7      General Election Day - polls open 7:00 A.M. - 8:00 P.M.
- December 4      Newly elected State Legislators take office.
- January 8      Newly elected State, Municipal, Judicial and Boards of Education officers take office.
- January 8      Republican county central committee members take office.
- January 15      Democratic county central committee members take office.
- January 31      Last day to file post-election campaign expense statement.
- January 31      Last day for unopposed incumbent for judicial office to file a one-time campaign expense statement.

#### TEN MOST FREQUENTLY ASKED QUESTIONS

1.    May voters who sign my petition in lieu of filing fee later sign my nomination papers as sponsors?

Yes, a new Law now permits this.

2.    May a voter sign for more than one candidate?

In many cases, yes. A voter may sign for as many candidates as he may vote for. For example, if Board of Education election is a "vote for three" situation, then, a voter may sign for three candidates.

3.    May I file sponsors before my Declaration of Candidacy?

No. One is not officially a candidate until a Declaration of Candidacy is filed. Sponsors will not be accepted on behalf of a non-candidate.

4.    May City and County Officers and Employees run for Charter Commissioner and, if elected, hold office?

Yes.

5.    Must I file a Statement of Economic Interest at the same time as the Declaration of Candidacy?

This applies only to candidates for Mayor, Supervisor, District Attorney, Judgeships and State office. Assessor, Board of Education, etc. do not file a Statement of Economic Interest.

6. May I file more than the maximum number of Sponsors?

Yes, but the excess number will not be counted.

7. What happens if some of my sponsors are not registered voters and I wind up with less than the minimum number of valid signatures?

In that case, you won't go on the ballot unless you bring in enough additional valid signatures BEFORE 5:00 P.M. on the deadline date.

8. Must I file a campaign disclosure statement if I spend no money?

Yes. All candidates must file thrice; see the filing schedule for dates. Those who spend or receive less than \$200 may file the short Form No. 470, which is only one page long.

9. (Municipal Candidates Only) Can I circumvent the \$500 contribution limitation by having a husband and wife contribute \$500 each?

Yes. Shame on you!

10. Can I contribute more than \$500 to my own campaign?

Yes.





